

State Court Rules Against Parochiaid



SIGN OF TIMES?: Benton Harbor Fire Chief Harold Gaddie closes south side fire station today as financially-strapped city can't afford to run it. Public safety will suffer another reduction in Benton Harbor if major layoffs are necessary in police department. Voters will ballot May 24 on a six-mill tax levy that would prevent police-fire layoffs. South side fire station at 372 Empire avenue was opened in 1947. It's normal complement has been three four-man crews. Fire truck and other equipment was transferred to central station. (Staff photo)

Auxiliary Services May Continue

LANSING (AP) — Public money cannot be spent on private and parochial education — except for special, publicly controlled programs.

Simplified, that's the thrust of the Michigan Supreme Court's long-awaited interpretation of a parochial-banning constitution amendment adopted by Michigan voters last November.

LONG BATTLE

The complicated, many-faceted decision was delivered Wednesday in nearly 50 pages of outline and explanation climaxing a long, involved succession of intertwined events.

Basically, this is what the court said in decisions accompanied by dissents unrelated to each other.

The amendment prohibiting parochial technically should not have been submitted to voters because petitions demanding the vote did not meet the full letter of the law.

However, the issue was clearly stated on the ballot and voters understood the question.

Therefore, adoption of the amendment was valid under the doctrine of "election cures errors."

The court cited some previous cases in support of this stand.

The 1970 legislative act providing \$22 million for private and parochial schools was valid for three months, Sept. 14-Dec. 19. This was the period between the effective date of the law and the effective date of the constitutional amendment negating it.

(While the court did not touch on the actual figures, subsequent

budget-cutting by the governor late last year reduced to \$9.5 million the maximum amount that may be disbursed for the period the law was effective.)

—So-called "auxiliary services," "shared-time" and "dual enrollment" programs involving nonpublic school students are eligible for public money if they are under the control of public authorities. If this public-control requirement is met, such programs also may be conducted on leased and nonpublic premises as well as in public facilities. Involved are such programs as remedial reading, driver training, special teachers and counselors for disturbed, delinquent, or mentally handicapped children. (Atty. Gen.

Frank Kelley, in an opinion issued shortly after voter adoption of the amendment, held these services would be barred.

—Parents who send their children to private schools cannot receive a tax credit for tuition payments. However, the private schools themselves retain their tax-exempt status.

—The measure does not prohibit aid to private institutions providing educational services to children placed there by court order.

—The measure deals only with state money and thus does not affect federal Title One funds for educationally deprived children in nonpublic schools.

—A clause in the new amendment, prohibiting aid "at any location or institution where instruction is offered in whole or

in part" is unconstitutional.

—Aside from the offending clause, the state amendment does not infringe on guarantees in the 1st and 14th amendments to the U.S. Constitution.

WRITTEN BY SOAPY

The majority opinion on the amendment interpretation questions was written by G. Mennen Williams, a former Michigan governor elected to the high court in the five-justice majority decision were Eugene F. Black, Thomas E. Brennan, Thomas G. Kavanagh and the court's other new member and former governor, John B. Swainson.

Kavanagh also sided with his unrelated namesake, Chief Justice Thomas M. Kavanagh, in a partially dissenting opinion contending the election should have been voided as a result of the court's ruling against its technical correctness.

However, both Kavanaghs added that aside from the validity question, they agreed with the Williams opinion interpreting the amendment.

Justice Paul L. Adams agreed with most points, but said shared-time programs on public school premises should be prohibited and those at leased facilities should be considered on a case-by-case basis.

He also voted against allowing aid to private institutions providing educational services to children placed there by court order.

Black was first signer of the majority opinion on the issue of the amendment's validity. The

Kavanaghs dissented for one reason, Adams for another.

The Kavanaghs questioned the "election cures errors" doctrine, saying "The people have the right to change their constitution, but must do it in a proper, legal way... We vote to void the election."

Adams said the high court erred in overturning the Court of Appeals, which had ruled last September that the amendment was in proper order.

—The 4-3 decision, touching on the objection of the Kavanaghs, said "Courts should look at procedural errors or submission through different eyeglasses, once the electors have voted affirmatively."

The court's rulings were handed down nearly three months after oral arguments were presented. The time lapse raised the wrath of Justice Black, who in public statements early in March criticized his colleagues for the delay.

Even now, the issue is not necessarily settled. The parochial aid controversy has taken many forms in many states, with some cases already having reached federal courts. One now is before the U.S. Supreme Court.

Whether it will have ramifications for Michigan remains to be seen.

The Michigan high court's rulings have been the most definitive development in the long tug-of-war over parochial aid in this state.

Early last year, before the

Legislature approved its parochial plan, an organization calling itself the Council Against Parochial undertook a petition drive to place on the ballot a constitutional amendment prohibiting such aid.

The group, dominated by public school interests, gathered nearly 314,000 signatures — far more than it needed — and submitted the petitions to the Board of State Canvassers. However, Kelley said the petitions were invalid because they failed to state the language they proposed to change.

Petition sponsors went to the Court of Appeals, which ruled the petitions were in order because they proposed to add language to the Constitution rather than alter existing language.

AID APPROVED
Meanwhile, the Legislature had approved a \$69.3 million school-aid bill that included \$22 million for private and parochial schools. The parochial aid provision was contingent upon a Supreme Court ruling as to the validity of the aid.

In September, the high court came out on a single day with rulings wrapping up both the petition campaign and the constitutionality of parochial aid.

It upheld the constitutionality of such aid by a 4-3 vote. And in a 5-2 ruling, it refused to hear Kelley's appeal against the Court of Appeals acceptance of petition validity.

That cleared the way for the general election vote and a heated, expensive campaign on both sides of the questions. The voters made their decision: the antiparochial forces won, 1.4 million to 1.08 million.

Kelley quickly issued his interpretation that all forms of public aid to nonpublic schools were out, including auxiliary services.

He was challenged by Grand Traverse Circuit Court. It was then that Milliken, Kelley and state school officials got their heads together, drawing up a list of questions designed to cover the waterfront of possible problems.

The list, incorporating the challenge to Kelley's interpretation, was submitted to the high court in December.

The court quickly announced it would answer those questions, but also sent eyebrows arching when it said it would rule on the validity of the amendment's submission to voters. Capitol observers had assumed this question was settled back in September when the court refused to hear Kelley's appeal against the Court of Appeals decision.

ACTION DELAYED

The high court issued an order delaying implementation of the amendment — supposed to have been effective Dec. 19 — pending its ruling.

In its Wednesday rulings, the court said the new amendment knocked out its September holding that parochial aid is constitutional.

The court said it did not decide the validity of the amendment in September because

(See page 7, sec. 1, col. 8)

Plate-Less Motorists Ticketed

Police in the Twin Cities area issued 21 tickets overnight to motorists who forgot to put 1971 license plates on their automobiles. The 1970 plates expired at midnight last night.

Benton Harbor city police issued 7, St. Joseph 3, Benton township 5, and Berrien county sheriff 4.

Benton Harbor state police issued two. One was to a motorist who couldn't get his car started and was given assistance by troopers. Then he was given the summons.

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Protests Growing Over Calley Sentence

By The Associated Press
Telegrams to President Nixon were running about 100 to 1 against the court-martial conviction and life sentence of Lt. William L. Calley Jr. as the groundswell protest over Calley found guilty of slaying at least 22 Vietnamese civilians at My Lai three years ago.

President Press Secretary Ronald L. Ziegler said Wednes-

day that about 5,000 telegrams had already been received and an estimated backlog of some 20,000 was waiting to be transmitted. He said virtually all favored clemency for Calley, found guilty of slaying at least 22 Vietnamese civilians at My Lai three years ago.

His fight for life won, Lt. Wil-

liam L. Calley Jr. turns now to a battle for freedom from life in prison, a sentence that can be tempered only by reviewing authorities.

SPARED DEATH
Calley, 27, was spared the death penalty Wednesday by the same military jury which convicted him Monday of the mur-

der of 22 Vietnamese men, women and children during the My Lai massacre three years ago.

The sentence will be subject to automatic review through a procedure that could take at least a year and possibly as long as five years.

After exhausting its remedies within the military judicial system, to as high as the U.S. Court of Military Appeals, the defense would have recourse to civil courts.

COULD BE PARDONED

President Nixon could at any time pardon Calley or reduce his sentence, although there has been no indication he would do so.

Other protests took the form of legislative resolutions, draft board resignations, vigils, petition campaigns, flag flying and a plan for a ransom fund.

Vice President Spiro T. Agnew was quoted as saying that some persons believe that anyone involved in an action such as at My Lai "is guilty of a war crime." He termed that viewpoint "oversimplified extremism."

WASN'T SPECIFIC

In an interview with the Chicago Tribune, Agnew declined to comment specifically on the Calley case but said conditions during a military operation "are not subject to Monday morning quarterback judgments."

"The most revealing part about the whole proposition to me," he was quoted as saying, "lies in the fact that these are the same people who look favorably on amnesty for American deserters."

Sen. Edward M. Kennedy, D-Mass., commenting on the case before a speech in Tuscaloosa, Ala., said that beyond Calley "what is perhaps of great significance is what this is doing in terms of our own thinking ... about the war."

NOW QUESTIONING

"Perhaps for the first time," Kennedy said, "Americans are really questioning what others have questioned for some time, and that is the whole question of the morality of our involvement in Southeast Asia."

Pressure from the Federal Environmental Protection Agency and some private environmental groups has been closing in on the company to convert from a direct discharge of heated water into Lake Michigan to cooling towers, to dissipate the great heat given off in the power generating process.

Kopper said the question of whether his firm will be forced to convert to cooling towers by government edict is in the hands of the Michigan Water Resources commission.

Kopper said if "the rules are changed in the middle of the game" and the company is forced to build cooling towers for the now half-completed plant it likely would delay start up of power generation there from 1973 to 1975 or 1976. Indirectly, he indicated the extra cost could be in the neighborhood of \$45 to \$50 million.

HUGE STRUCTURES
The utility executive said it would require three towers that would each rise 500 feet in the air and would be 400 feet long

(See page 7, sec. 1, col. 5)

but Teamsters sources said he will almost certainly be replaced at the union's July convention in Miami Beach, Fla.

A new Teamsters president also could mean early negotiations for a return of the 2-million-member Teamsters to the main body of American labor, the AFL-CIO, which expelled Hoffa's union in 1957 on corruption charges.

Acting Teamsters President Frank E. Fitzsimmons, Hoffa's old Detroit sidekick and hand-picked stand-in, is rated the frontrunner to succeed Hoffa in his own right.

Hoffa will not become eligible for parole again until June 1972, when Fitzsimmons, or some other successor will have had nearly a year to consolidate a hold on the union presidency. Presidential terms currently are for five years.

HOPES DASHED

Hoffa at the last Teamsters convention in 1966 managed to rewrite the union constitution to make it virtually impossible for other union leaders to oust him. But the parole denial appeared to dash Hoffa's last hopes of retaining control of the union after more than four years in prison.

The parole refusal Wednesday crushed Hoffa's pledge to the

(See page 7, sec. 1, col. 1)

PAY INCREASED

Superior Steel

Pact Approved

Members of UAW Local 965 representing some 300 production workers at Superior Steel Castings Co. in Benton Harbor this morning approved a new three-year contract to replace one that expired at midnight last night.

The vote, conducted in a show of hands about 10:15 a.m. today at the union hall, 248 Territorial road, Benton Harbor, was overwhelmingly in favor of acceptance, according to Local 965 President Everett Howard. Of 314 union members at Superior, some 285 reported for this morning's vote, he said.

The total package in the new contract calls for about \$1.40 an hour in increased benefits over three years, including 48 cents an hour in pay boosts over three years and additional insurance, pension, holiday, vacation and "sub" pay benefits said Napoleon Lark, union vice president.

Union officials said the contract provides for 26 cents an hour additional pay the first year, 11 cents more the second year and 11 cents more the third year. Average hourly earnings previously were about \$3.40 to \$3.42.

The union bargaining team recommended adoption of the new contract, Howard said. Bargaining between union and company had gone on over a period of three weeks, he added.

Superior Steel, located at 309 Graham avenue, Benton Harbor, produces castings for the truck trailer industry, railroads and auto industry.



JAMES R. HOFFA
Reign Ended?

THE HERALD-PRESS

Editorial Page

W. J. Banyon, Editor and Publisher
Bert Lindenfeld, Managing Editor

My Lai Is An Inconclusive Verdict

On March 16, 1968 an American patrol entered an obscure Vietnamese village occupied by old people and children.

Who or what committed the first move that triggered the ensuing fusillade is uncertain, but within a relatively few minutes My Lai was depopulated.

Lt. William Calley, Jr., was the platoon leader responsible at the time to Capt. Ernest Medina, commander of the company having geographical responsibility for the area.

Tales of My Lai's decimation and of similar incidents elsewhere reached Congressional ears from U.S. servicemen returning home upon completing their duty tours.

These reports were passed along to the Defense Department accompanied by a demand for an explanation.

In the fall of 1969 the Army ordered court martials for Calley, Medina, and one or two noncoms under Calley's command.

The Army charged Calley with murdering 22 civilians and Medina with obliterating 100.

Eighteen months following Calley's indictment, a military court this week found him guilty on the murder count and sentenced him to life imprisonment.

Presumably, Medina will go on trial shortly.

Though the prosecution and the defense agree on the simple fact of the killings, they split widely on the issue of justification.

Calley and Medina assert two

Harsh Alternative

Britons, like Americans, are getting taller with every generation and some are worried that their grandchildren may bump heads on the lintels and ceilings of modern buildings.

One far sighted member of Parliament has asked the ministry of housing to require higher ceilings in new construction.

While the member is at it, he might also try to do something about automobiles. Time was when Americans, including six-footers with hats on, could climb behind the wheel without risk to pate or topper. American cars have become so low slung that each entrance and exit is an adventure.

If cars keep getting lower and people keep getting taller, there's only one solution. Long legged descendants of the present generation will have to learn to walk.

A Start Toward Court Reform

The Judicial Conference of the United States has voted to reduce the size of juries in federal civil trials below the traditional number of 12.

No size was announced by Supreme Court Chief Justice Warren D. Burger, conference chairman, but six-man juries have been tried in a few federal district courts, and it is considered likely that six-man juries will become standard in federal civil trials.

The action is expected to reduce the annual expenses of paying jurors by about \$4 million and to make jury trials speedier and less cumbersome, goals certainly worth pursuing.

Federal criminal juries were not covered and will continue for

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Top Of The Poll



GLANCING BACKWARDS

PROJECT GETS GO AHEAD

—1 Year Ago—
The Berrien County Public Works board met in special session to give the board's engineers authority to permit the start of construction immediately on the \$2.3 million Lincoln-St. Joseph township sewage system.

Construction should be finished within a year. The board also hired Charles Barger of Barger Engineering, St. Joseph, as inspector of the St. Joseph township portion of the multi-municipality sewage system.

MORE COUNTY ROAD WORK

—10 Years Ago—
With federal aid, Berrien county may make improvements on secondary roads worth \$188,000 during 1961 — about double the amount put under contract last year, according to Heath P. Calvin, engineer-

manager of the County Road commission.

In 1960 Berrien county let \$22,390 in secondary road contracts. State Highway Commissioner John C. Mackie announced the counties will receive an estimated \$7 million in federal aids funds this year compared to about \$3.5 million last year.

'ENEMY' PLANES SCARE SERBIA
—30 Years Ago—
An eight-minute air raid alarm was sounded shortly before noon at Skopje, Yugoslavia, when three foreign planes reconnoitered at great height over the city.

Skopje lies midway between Bulgaria and Albania in the Vardar river valley, which would offer a strategic route for a German attack on Greece.

MISS BLOSSOMTIME

—40 Years Ago—
Miss Jane Filstrup, Benton

Harbor blonde, will be queen of the ninth annual Michigan Blossom festival here next month. She was chosen to the honor among 34 candidates last night at the Liberty theater.

RETURNS TO POST

—50 Years Ago—
Miss Rowena Rose, teacher of Latin in the high school, has returned to Traverse City, where she spent the past week with her parents.

MOVE NORTH

—60 Years Ago—
Mr. and Mrs. Christian Schaeffer and family have moved to Kenosha, Wis., to make their home.

ADDITIONAL LINE

—80 Years Ago—
With the addition of a line of steamers to Milwaukee, shipping facilities in all directions from this port will be unsurpassed by any lake shore city.

THE FAMILY LAWYER

Foot In The Door

To the bus driver waiting at the wheel, it seemed that the fat lady was his final customer. But behind her, unseen by the driver, a girl was also preparing to come aboard. She had already gotten one foot in the door when he closed it and started to move.

The girl was flung to the pavement and injured. In due course, she sued the bus company for damages.

"Even if his view was blocked by that fat lady," she told the court, "he had no right to close the door without double-checking. After all, a common carrier owes a high degree of care to its passengers."

CLAIM GRANTED

"Maybe so," conceded the company. "But this girl was not yet a passenger. She had paid no fare. She had not really gotten aboard. We do regret the incident, but we are not legally liable."

Nevertheless, the court held that the girl was indeed a passenger, entitled to extra care, and granted her claim.

This is the prevailing rule, that a person may acquire the special status of "passenger" even before he is inside the vehicle. It is usually enough that he has shown his readiness to come aboard — and that the company has shown its readiness to accept him.

But the readiness on both sides must coincide. Take this case:

A man rushed up to a bus just after the door had closed. He knocked on the glass, but the bus was already beginning to roll. The man slipped, fell, and got hit by the rear wheel.

STATUS ENDED

Could he collect damages from the company? A court said no, because he had not gained the status of a passenger. The court pointed out that he had not shown his readiness to ride until the driver had stopped showing his readiness.

Venus is the Roman name for the love goddess Aphrodite.

New Hampshire was named after an English county.

Virginia was named for Queen Elizabeth I, the Virgin Queen.

The state of Maine is named for a French province.

A thrush is a song thrush.

Factographs



to accept him.

A parallel problem arises at journey's end: at what moment does the passenger lose his special status?

In another case a passenger alighted at a bus stop, began to cross the street, and was knocked down by a second bus passing the one he had just left. Here he claimed damages on the theory that his driver should have warned him that another bus was following.

But the court said the driver could not be blamed, because the man had lost his status as a passenger. Once safely discharged, said the court, a passenger turns into just another pedestrian.

I wonder if he likes himself. I think I have taken The Herald-Press about as long as he has. I am 81 and still like the way The Herald-Press is run.

I would rather see pictures like the one on the front page on the 29th than to see where some one had been held up just after leaving a beer joint in St. Joseph or Benton Harbor.

I bet lots more people would say just the same thing I have said. So I go all out for the Editor. Keep up the good work, no matter what some critic thinks.

M. R. SHEPHERD,
108½ Cherry street,
Three Oaks

LIKES PETS AND KIDS

I was reading the letter in the Mailbag of 3-29-71 by Doug Wilder, of St. Joe, about the picture you had on the front page of the couple getting married with 12-11 children. According to that, Doug Wilder doesn't care much about children or pets. I don't know if he is married or not but it looks like he doesn't like to see pictures like the one on the front page or pets either.

I wonder if he likes himself. I think I have taken The Herald-Press about as long as he has. I am 81 and still like the way The Herald-Press is run.

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THE ANSWER QUICK!

1 — What language was the Book of the Dead originally written in?

2 — What language was the Decameron originally written in?

3 — What language was the Koran originally written in?

4 — What language was the Magna Carta originally written in?

5 — What language was the Vedas originally written in?

YOUR FUTURE

Another happy, fortunate anniversary is scheduled for you. Today's child will have a strong character.

BORN TODAY

Prince Otto von Bismarck, at a meeting of the Reichstag in 1862, described his political policies in this fashion: "The great questions of the day will not be settled by resolutions and majority votes, but by blood and iron."

An chancellor of Prussia from 1862 to 1890, and the German Reich from 1871 to 1890, he pursued a practical, opportunistic course that led to the formation of that same Reich in 1871.

In the later years of his life, he was respected for his conservative, responsible statesmanship.

In 1862, in the prime of his power and faculties, he became minister-president. He had an unquenchable belief in Prussia's destiny to unite Germany under his leadership.

In 1871 following the victory of Germany over France, he was elevated to princely rank and was appointed imperial chancellor.

In the two decades in which he governed the new German empire, he did not achieve all his ambitions but was on the whole successful in foreign policy. At the end of his life he was considered the leading statesman of Europe.

Emperor William I died in 1888 and with his death came a reversal in Bismarck's fortunes, for the new Emperor William II dismissed him soon after his ascension to the throne.

Others born today include William Harvey, Debbie Reynolds and Jane Powell.

WATCH YOUR LANGUAGE REPROBATE — (R-E-P-E-B-A-T-E) — noun; an abandoned, unprincipled or reprehensible person.

HOW'D YOU MAKE OUT?

1 — Egyptian.

2 — Italian.

3 — Arabic.

4 — Latin.

5 — Sanskrit (Hindu scriptures).

DR. COLEMAN

.. And Speaking Of Your Health

Is it possible to have a heart attack without knowing it? A recent electrocardiogram showed some scar tissue in my heart, although I had no memory of any symptoms of a heart attack.

Mr. W. P., Mich.

Dear Mr. P.: This is not an unusual experience. Many people who are non-complainants will ignore discomfort and pain, and quickly forget that it ever occurred.

We have all had the experience of being awakened in the middle of the night with strange, unexplained distress in our chest or upper abdomen. In most instances, it truly is the indigestion we assume it is.

Sometimes, however, these little attacks of so-called indigestion may actually be very mild heart attacks.

Especially when the symptoms do not persist, people frequently forget to call this to the attention of their doctors.

Consequently, small areas of scar tissue may form in the heart, and be picked up only later by a routine electrocardiogram.

Now, what should this teach all of us? To panic with every attack of indigestion? Decidedly, no. For the chances are small indeed that a bout of indigestion is a heart attack.

A very severe episode of so-called indigestion, however, especially in cigarette smokers who is overweight and, past the age of 40, should be brought immediately to the attention of

a doctor.

One of the great advantages of early examination is the possibility of avoiding a severe coronary attack, if indeed the "small" attack did occur.

If more "small" heart attacks were recognized early, far more severe coronary heart attacks might be prevented.

Is it possible to tell if a person has a virus infection by taking a throat culture?

Miss H. H., La.

Dear Miss H.: Cultures and smears are frequently taken from the nose and throat in the hope that some germ or fungus might be found to account for an illness.

In some cases, these organisms are found and then tested with a variety of antibiotics. In this way, the ideal antibiotic can be chosen; one that is most effective in destroying the disease-producing germ.

Unfortunately, while this may be successful with bacteria, it is almost impossible by ordinary means to isolate a virus from a throat culture.

It takes the most complicated laboratory techniques to isolate a virus. These methods are not available for routine throat cultures.

SPEAKING OF YOUR HEALTH: Learn to lift heavy weights from a squatting position.

THE HERALD-PRESS

ST. JOSEPH, MICH. THURSDAY, APRIL 1, 1971

Twin City
News



OPTIMISTIC ON OPTIMIST CLUB: Zone 3 Optimist International Lieut. Gov. Max Van Denberg briefs area men on organization of new Optimist club at Holiday Inn, St. Joseph, yesterday. From left are temporary Chairman Stan Rogers, Van Den Berg; Lou Mack, temporary treasurer. Standing is Ron Donoghue, president of the Niles Optimist club which is sponsoring club in Twin Cities. Clubs needs 35 men to obtain charter. (Staff photo)

Optimist Club Organizes; Seeks To Sign Up 35 Men

A campaign to sign up 35 Twin City men into an Optimist club is underway with a note of urgency—the goal is April 17.

Max Van Den Berg of Kalamazoo, Zone 3 lieutenant governor,

spoke to a group of Twin City men and their Niles Optimist club sponsors yesterday day at St. Joseph's Holiday Inn and he said that with concentrated effort the goal could be reached.

The meeting was presided over by Stan Rogers, temporary chairman and Lou Mack, temporary treasurer.

Van Den Berg said he would like to present a full roster of members when Optimist International officials meet in Ann Arbor April 17.

Optimist International slogan is: "Friend of the Boy" and individual clubs have varied programs to promote this goal.

Rogers, of the Michigan Employment Security Commission, said an Optimist club operated in the Twin Cities several years ago and any former members are invited to help get the club rolling again.

Rogers can be reached at 983-5501.

Optimist International objectives are: "to develop Optimism as a philosophy of life . . . to promote an active interest in good government and civic good government and civic affairs . . . to inspire respect for law . . . to promote patriotism and to work for international accord and friendship among all people . . . to aid and encourage the development of youth."

St. Joseph police detectives arrested a 16-year-old Benton Harbor youth yesterday and petitioned him to Berrien juvenile court on a charge of breaking and entering the home of Richard Wendt, 2624 Niles Avenue, St. Joseph.

Benton Harbor police arrested Ronald D. Post, 17, of 2056 Taube Avenue, Benton Heights, last night on charges of driving on a suspended license andreckless driving.

Benton Harbor police arrested Ernest Reynolds, 38, of route 2, Red Arrow highway, Watervliet, early today on a charge of driving under the influence of intoxicants.

Benton township police said Chuck Scott, owner of the Shell gas station, at I-94 and Napier Avenue, reported \$77 cash stolen in a burglary of the gas station.

Sammy Donald of 191 Brittain Avenue said a \$140 leather coat, a radio and fishing reel were stolen from his car, Benton Harbor police reported.

Tilly Campbell of 729 Riverside Avenue, Benton Harbor, said two rings, valued at a total of \$800 and a \$205 watch were stolen from her purse in her home, Benton Harbor police reported.

Hernandez went to trial before Judge Zick on two charges, one a felony—unlawfully driving away an auto—and the other a circuit court misdemeanor of unlawful using a car. Judge Zick acquitted him on the felony charge and convicted him on the misdemeanor.

Hernandez, testifying in part through a Spanish-English interpreter, stated under oath that he borrowed the car from another man and didn't know it was stolen, but the man under oath denied making the loan.

Hernandez was remanded to jail without bond and faces up to two years of imprisonment.

He was represented by court-appointed Atty. Lewis Lamm, Niles, and the prosecution by Maurice Nelson, Niles assistant prosecutor.

Jurors deliberated about an hour and a half in Judge Julian Hughes' court to end a two-day trial for Bruce Edward Dikas, 25, of Clarendon Hills, Ill. He was charged with possessing marijuana in a car last June 20 in Benton township.

Judge Karl F. Zick, hearing the case without a jury, ended a one-day trial for Benjamin Jamie Hernandez, 24, of 550 Union Street, Niles, with a conviction on a charge of unlawfully using a 1964 Pontiac owned by Noble Pontiac used car sales of Niles on Dec. 26.

State police testified for Prosecutor Ronald Taylor that Dikas was one of two men in a car they stopped on I-94 for a defective taillight and that police found marijuana beneath Dikas' seat and in a small quantity on his sweater.

Dikas, identified by St. Joseph Defense Atty. George Keller as a decorated Vietnam war veteran and a college student in Iowa, did not testify. Atty. Keller argued that the prosecution produced only slight circumstantial evidence and failed

Two Men Found Guilty In Circuit Court Trials

Two young men were convicted in unrelated trials Wednesday in Berrien circuit court, one on a charge of possessing marijuana and the other on a charge of unlawfully using a car.

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ST. JOSEPH, MICH. THURSDAY, APRIL 1, 1971

Section
Four

License Plate Buying Could Be Easier In Michigan Next Year

LANSING (AP) — With the deadline for putting on 1971 license plates here the Michigan Senate voted Wednesday to ease the purchasing problems of vehicle owners for 1972.

The Senate voted 29-4 for a bill authorizing payment by check for vehicle licenses, effective July 1.

The measure must be returned to the House for concurrence in a minor amendment, but was expected to be sent quickly to

Gov. William Milliken for signing.

HOUSE GOES ALONG

In the House, meanwhile, a bill lifting Michigan's unique ban on corporate ownership of bank stock won final passage, 83-21.

The Senate approved the bill earlier but still must decide on an effective date before the measure is sent to the governor.

The license plate bill, strongly supported by Secretary of State Richard Austin, is aimed at making sales offices less susceptible to hold-ups. Austin contended that an accumulation of checks would prove less inviting to robbers than do stacks of cash held in the offices because of the current check ban.

Austin's office had hoped the pay-by-check method for all types of vehicle registration—including snowmobiles. But the bill as approved covers only vehicle plates or tags—not driv-

ers' licenses—and fees.

Uninsured motorists would not however, be authorized to pay their \$35 fees to the state motor vehicle accident claims fund by personal check. They would be required to pay with cash or by money order, certified check or cashier's check.

The measure also provides for penalties against those who buy plates with "rubber checks."

Endorsement of this check

plan, plus implementation of a plate-by-mail system which Austin said would be put into effect this fall, could be a boon to many who stand in long lines to get their 1971 plates before the midnight March 31 deadline.

The buying bill, fought by a group of suburban Detroit banks that fear being overrun by corporate giants, would bring Michigan into line with all 49 other states which allow the corporate holding companies.

LOOPHOLE IN LAW

Michigan currently prohibits corporation holding companies, but loopholes in the law allow formation of trust holding companies—of the type employed by the Michigan national chain—and partnership holding companies such as those run by financier Donald Parsons.

Opponents of the bill in previous years expressed pessimism over prospects for tightly regulating corporate holding companies. But backers this year—including Milliken—maintained federal legislation adopted last year would provide stringent enough controls to avert takeovers by giant combines and would protect bank customers' interests.

Decision on a highly controversial measure dealing with the rights of nonresident property owners to vote on certain local millage questions was postponed in the Senate.

Rail Yard Shootings Hurt Two

New Buffalo Man In Hospital

ELKHART — Two railroad men remain hospitalized today with gunshot injuries they received here early Tuesday in the railroad yards.

Louis John Sayne, 46, of 1155 Shore drive, New Buffalo, was in good condition in Pawtaw hospital, Niles, with a gunshot wound in the back.

Randy Bladel, 38, of Poplars mobile home park, Elkhart, was in good condition in Elkhart General hospital following an operation to remove a bullet wedged from his stomach.

A spokesman for the Sayne family linked the shooting to a 1957 dispute between two locals of the Brotherhood of Trainmen over jobs at the Elkhart yards. The dispute erupted when work was shifted from the Niles rail yards to Elkhart, costing members in each job.

Bladel, reported as a member of the Elkhart local, was not working at the time of the shooting. Sayne, an engineer, is a member of the Niles local and was enroute to work when the shooting occurred.

Police said the shootings occurred at 3:58 a.m. in the rail yards of the Penn Central railroad, at Elkhart. A .38 calibre magnum pistol confiscated at the scene was owned by Bladel, they said.

They also said four other pistols and two rifles were confiscated from his car.

The spokesman for the Sayne family said Sayne had parked his car in the yards and was going towards an office when a man shouted at him and then fired a gun at him twice.

The spokesman said Sayne managed to wrest the weapon from the assailant and began to run away but was forced to turn and shoot at the man who was pursuing him when he could run no further.

According to authorities, the bullets in the weapon did not contain regular lead slugs, but for an undetermined reason, were of paper-type wadding.

Lt. Vernon Smith of the Elkhart county police confirmed that the investigation showed Sayne had been fired at first as he went towards the office.

Still being investigated by the agency was the October, 1968, slaying in the same yards of railroader Wesley Marshall, who was shot to death as he got off a train. No one has been arrested in the slaying.

Smith said the investigation of the latest case had been turned over to Michael Cosentino, a county prosecutor in the Elkhart Superior court.

Wedlock Seeks To End Wedlock

BALTIMORE, Md. (AP) — Charles Wedlock Sr. filed suit in City Circuit Court Wednesday to free himself from wedlock.

In seeking to end his 12-year marriage, Wedlock alleged misconduct by his wife.

Strikers Call For Finding

DETROIT (AP) — Some 300 office workers who have been on strike against the United Auto Workers Union since March 12 called today for binding arbitration after reporting no progress in negotiations Tuesday.

Local 42 of the Office and Professional Employees Independent Union (OPEIU) said, "The UAW is still adamant that there is not another penny to be had."

The strikers said they had made an offer "to defer part of a proposed wage increase to a later time in an effort to resolve the dispute and end the strike."

It said the UAW "had refused to make any movement whatsoever and that UAW officials stated their position was exactly the same as when the strike began."

UAW officials were not immediately available for comment on the OPEIU statements.

OPEIU negotiators differed with the UAW as to whether the UAW offer exceeded the pattern set in recent negotiations between the UAW and the auto industry covering office workers.

The OPEIU statement said it had made a commitment to pay the premiums on employee insurances, such as Blue Cross and Blue Shield, if the strike continues past April 1.

It added, "As still another indication of the UAW's hard line management approach to the union which represents its employees, Emil Mazey (UAW secretary-treasurer) informed OPEIU spokesmen that if the premiums are not paid immediately, the UAW will charge OPEIU seven per cent interest because that is what General Motors charged the UAW under similar circumstances during the recent GM strike."

Leverton said the blaze broke out in the home of Mr. and Mrs. Steve Rutherford, who escaped uninjured.

Rutherford said the blaze began in the area of the water heater. Firemen arrived on the scene about 6:30 p.m. and remained there for two hours, Leverton said.

High winds spread the fire to the mobile home of Mr. and Mrs. Cullen Child, Jr. and their two children, none of whom were at home when the fire began, according to Leverton.

Leverton said the Coloma fire department was called to deliver additional water to fight the blaze.

The Paw Paw Mobile home park is on old M-140, a mile north of Watervliet. The Watervliet fire department is jointly operated by the city and township.

Police were alerted to the youths by a parent who believed they may have come to South Haven from their homes in Morton Grove, Ill.

The art professor, who is an expert on printmaking, termed the collection a "cross-section of the finest prints available through history and the largest print collection that I ever witnessed."

"I know of no museum anywhere in the world or abroad, that could duplicate it," Weddige said Wednesday in an interview.

Among the works included are American Civil War scenes, bird prints, botanical drawings, city scenes, historical maps and costumes from many ages and nations.

Most were produced in the 18th and 19th centuries.

"I've never seen such a fabulous collection of early Ameri-

LIVES ON FARM

Weiss, who is in his 50s, is a retired real estate man who lives on a farm in suburban Southfield. He and his family, who are Jewish, fled Europe in 1939 and lived in Canada before coming to the United States.

The collection was begun in Europe by Weiss' forefathers, who were exporters and money lenders.

The prints go on sale next Wednesday at the Hudson store in Detroit. They will be sold at prices set by the store rather than being auctioned. The professor said Weiss will get half of the proceeds and donate his share to medical research.

Trull Quits As Principal In Buchanan

Asks Assignment As A Teacher

BUCHANAN—Donald B. Trull is resigning as high school principal at the end of the current school year in favor of teaching.

In a letter to Buchanan board of education, Trull asked to be relieved of his current assignment as junior-senior high school principal at the termination of his contract on June 30. He requested a new assignment as a teacher in the system for the 1971-72 school year.

Trull said he wants more time with his family and the direct contact with students only a teacher in the classroom can experience.

Trull joined the Buchanan community schools in the fall of 1961. He served as assistant principal for one semester and became principal in early 1962.

Before Buchanan, he was principal at the Bitburg, Germany, Air Force Dependents school, at the Tripoli, Libya, school and assistant principal at the Wiesbaden, Germany, school.

Trull and his wife, Kathryn, have two boys and a girl, all in school.

NORTH CENTRAL SMC Receives Full Accreditation

DOWAGIAC — Southwestern Michigan college has been accredited by the North Central association of colleges and secondary schools.

The accreditation came Wednesday in action by the association's governing commission and culminated an examination of the two-year institution by a team of educational specialists from the association.

Announcement of the accreditation came from Dr. Stanley Hergenroeder, SMC president, and Dr. Fred Matthews, chairman of the college's board of trustees following a conference in Chicago Wednesday between Hergenroeder and association officials.

Accreditation is based on the scholastic quality maintained by the college and must meet North Central's code to qualify the institution for academic recognition.

Commenting on the accredita-

tion Hergenroeder said, "Southwestern Michigan college has gained full accreditation in only five years after the college started. It is rare instance the new college gets full accreditation so soon."

ENHANCES POSITION

"Accreditation will guarantee continuance of our fine relationship with the nation's universities on transfer of student credits. It will also enhance the college's position with federal agencies and private foundations with respect to grants," Hergenroeder added.

Dr. Matthews said, "The college is very gratified with the results. We were certain of accreditation. The board of trustees set high standards for the college when it was founded and has, with the cooperation of all the college staff, carried forward a quality program based on sound business and fiscal management."

The supervisor said discussion will also be heard on a proposal to initiate ambulance service at the South Haven Community hospital.

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Commenting on the accredita-



READY FOR LOVING: These four puppies, toy collie and terrier mix, seven weeks old, are waiting to be adopted by good families. They are now